



Memorandum

TO: PLANNING COMMISSION

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: August 7, 2002

COUNCIL DISTRICT: 4

SUBJECT: VACATION OF A PORTION OF A PUBLIC SERVICE EASEMENT ON THE WEST SIDE OF KING ROAD BETWEEN BERRYESSA ROAD AND COMMODORE DRIVE.

BACKGROUND

This is a request to vacate a portion, approximately thirteen feet in length, of a 10-foot-wide Public Service Easement on the west side of King Road between Berryessa Road and Commodore Drive. This vacation will facilitate development of an approved Planned Development Rezoning (File No. PDCSH00-022) to allow up to 80, 100-percent affordable, residential units on the property located at the western terminus of King Road and Commodore Drive which was approved on September 13, 2000 by the City Council.

The original intent of the easement was to facilitate service to public utilities within the city right-of-way on King Road. The utility companies have reached an agreement with the owner of the property to move the utilities to another location to allow the development of the approved project.

The Department of Public Works has reviewed the application and recommends that the request be approved. In addition, all concerned departments and utilities have been contacted and have not expressed any opposition to this proposal. Staff recommends that this request be approved.

This vacation and the project that it facilitates are in conformance with the adopted San José 2020 General Plan Land Use/Transportation Diagram.

CEQA

The environmental impacts of this project were addressed by a Mitigated Negative Declaration that was adopted by the Director of Planning, Building, and Code Enforcement. (City File No. PDCSH00-022).

RECOMMENDATION

Planning Staff recommends approval of the vacation, to the satisfaction of the Director of Public Works.

STEPHEN M. HAASE, AICP
Director Planning, Building and Code Enforcement

